No. 200600282

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

West Bred LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Rush'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-fifth day of January, in the year two thousand and seven.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions* — Form Approved - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER: WestBred, LLC

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME: CA-902-701

3. VARIETY NAME: Rush

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*: 81 Timberline Dr.
Bozeman, MT 59718-8184

5. TELEPHONE *(include area code)*: 406-587-1218

6. FAX *(include area code)*: 406-586-8247

FOR OFFICIAL USE ONLY

PVPO NUMBER: 200600282

FILING DATE: September 5, 2006

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*: Limited Liability Corporation

8. IF INCORPORATED, GIVE STATE OF INCORPORATION: Arizona

9. DATE OF INCORPORATION: August 4, 2003

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*

Dr. Greg Fox, WestBred, LLC
717 14th Street South
Fargo, ND 58103

FEES RECEIVED

FILING AND EXAMINATION FEES: $ 4382.00 DATE 9-05-2006

CERTIFICATION FEE: $ 768.00 DATE 12/01/2006

11. TELEPHONE (Include area code): 701-293-5146

12. FAX (Include area code): 701-234-0720

13. E-MAIL: gfox@westbred.com

14. CROP KIND *(Common Name)*: Hard Red Spring Wheat

15. GENUS AND SPECIES NAME OF CROP: Triticum aestivum

16. FAMILY NAME *(Botanical)*: Gramineae

17. IS THE VARIETY A FIRST GENERATION HYBRID? ☐ YES ☒ NO

18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (*OPTIONAL*) ☐ YES ☒ NO

IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERICALIZATION. _____

19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of Variety
d. ☐ Exhibit D. Additional Description of the Variety *(Optional)*
e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownership
f. ☒ Exhibit F. Declaration Regarding Deposit
g. ☒ Voucher Sample *(3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)*
g. ☒ Filing and Examination Fee ($4,382), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? *(See Section 83(a) of the Plant Variety Protection Act)*
☐ YES *(If "yes", answer items 21 and 22 below)* ☒ NO *(If "no", go to item 23)*

21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES?
☐ YES ☒ NO
IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☒ NO
IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED
(If additional explanation is necessary, please use the space indicated on the reverse.)

23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?
☐ YES ☒ NO
IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. *(Please use space indicated on reverse.)*

24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT *(PLANT BREEDER'S RIGHT OR PATENT)*?
☐ YES ☒ NO
IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. *(Please use space indicated on reverse.)*

25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER		SIGNATURE OF OWNER	
Gregory J. Fox		Dale R. Clark for WestBred, LLC	
NAME *(Please print or type)*		NAME *(Please print or type)*	
Gregory J. Fox		Dale R. Clark	
CAPACITY OR TITLE	DATE	CAPACITY OR TITLE	DATE
Special Projects Breeder	August 15, 2006	Director of Research	Sept 1, 2006

(See reverse for instructions and information collection burden statement)

"Rush"
Hard Red Spring Wheat

Exhibit A. Origin and Breeding History

Rush (CA-902-701) is a hard red spring wheat derived from the cross "Keystone" x "Granite". The cross was made in the fall of 2000 in a growth chamber and F_1, F_2 and F_3 seed generations were advanced in growth chambers with selection for agronomic (height, stem strength, self-fertility) and seed (hard vitreous) characteristics. The F_3 seed was planted as a bulk in Casselton, ND in the spring of 2001. Individual F_3 plants were evaluated for agronomic characteristics and general disease reactions. These plant selections were advanced to the F_4 in growth chambers and F_4 head rows (F_5 seed) were planted in Yuma, AZ in November 2001. Rush is derived from a single F_5 plant selection from that nursery. The F_6 seed were planted as a single 5' x 20' plot in Casselton, ND in the spring of 2002, where it was evaluated for maturity, height, straw strength, and resistance to foliar disease, stem rust, leaf rust and Fusarium head blight (scab) and harvested as an F_7 bulk and given the experimental designation CA-902-701. The F_7 bulk was increased and evaluated in Yuma, AZ in 2002-2003 and the F_8 bulk was planted and evaluated as a 1/5 acre increase in Casselton, ND in spring of 2003. The resulting F_9 was increased as Breeder Seed on 5 acres in Fisher, MN in the spring of 2004. About 320 bushels of Breeders Seed was planted on 160 acres in Fisher, MN in the spring of 2005 as an initial Foundation Seed increase. About 6000 bushels of Foundation Seed was harvested in August 2005 and CA-902-701 was named Rush. The Foundation seed was planted in the spring of 2006 to produce Registered and Certified class seed. The first unencumbered sales of Rush will be in the spring of 2007.

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Rush was tested throughout North Dakota, Minnesota, and South Dakota in the Uniform Regional Nursery (Tables 1-6) in 2004 and Wheat Quality Council Trials in 2005 (Tables 7-8 and Figure 1). It was tested extensively in regional and company trials from 2003 to 2005 (Table 9). Rush is a hard red spring wheat bred by WestBred LLC and adapted to North Dakota, Minnesota and South Dakota. Rush is a semi-dwarf with early maturity, high test weight seed, very strong straw strength, high protein levels and satisfactory baking quality.

Rush has been observed for five generations of increase and testing and is uniform and stable. Rush is a semi-dwarf and variants 10-15 cm taller than the variety may appear at a frequency of 0.5% in Foundation seed production fields and up to 1.0% may be observed in subsequent generations. Rush will be purified as head rows on a regular basis.

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Table 1. Mean agronomic data reported for 14 north central locations[1] of the 2004 Hard Red Spring Wheat Uniform Regional Nursery.

Line	Yield Bu /Ac	Test wt. Lb/Bu	Heading days from 6-1	Height cm	Lodging 0 to 9[2]	Protein %
SD3687	75.5	58.5	24.2	92.1	0.9	14.1
MN01311-A	70.3	60.3	25.4	89.2	4.2	14.8
98S0127-06	69.8	59.7	26.1	81.2	0.2	13.9
SD3618	69.5	60.4	25.3	94.4	2.2	14.2
Verde	69.5	59.3	27.6	85.5	1.4	14.3
97S0254-8-1	68.9	58.4	29.0	83.4	0.9	14.9
MN99436-6	68.3	60.1	23.9	83.5	1.0	15.0
SD3746	68.3	57.7	25.9	89.9	2.0	13.8
MN01197	68.2	58.0	29.0	86.4	1.9	13.9
SD3747	68.1	57.8	23.5	83.0	0.7	13.8
ND 800	67.6	60.4	26.0	91.7	2.4	15.1
SD3635	67.6	60.0	24.5	95.7	2.5	13.6
96S0404-03	67.4	59.6	25.1	77.1	1.3	14.3
ND 801	67.4	61.4	25.2	92.1	2.1	15.4
ND 741	67.0	60.5	26.0	91.0	2.2	15.4
2375	66.5	60.3	24.6	89.7	2.6	14.5
BW828	66.3	59.3	32.5	89.9	1.2	16.0
MN00261-4	65.8	60.6	28.3	86.0	2.1	14.9
ND 751	65.8	60.8	27.5	95.4	2.9	15.4
98S0051-1	65.6	59.7	26.6	86.0	0.4	14.4
SD3668	65.0	60.2	23.0	94.2	4.3	14.7
NDSW0347	64.5	59.3	26.0	86.9	0.6	14.9
MN01333-A	64.3	60.1	23.6	80.2	0.3	14.7
ND 747	64.3	61.8	23.9	92.6	0.8	15.4
N99-0241	64.0	58.7	28.3	85.0	0.6	14.6
BZ 998-447W	62.6	55.6	24.6	87.1	1.6	14.2
BW341	61.4	60.3	26.8	97.8	2.4	15.1
NDSW0217	61.4	59.2	25.4	98.6	3.0	12.6
CA-902-701	60.8	61.4	23.8	84.5	0.4	15.1
WA007931	60.3	57.5	28.3	94.3	1.0	13.5
Keene	60.0	59.3	26.3	104.4	1.9	15.0
CA-901-580W	59.8	60.5	23.5	96.6	3.0	14.3
WA007925	59.2	58.7	24.7	93.2	1.9	14.1
MT 0245	57.5	56.9	27.4	86.1	1.3	14.8
NDSW0345	55.5	58.0	29.7	102.4	3.0	14.6
BW346	55.3	58.3	27.0	98.7	3.4	15.2
ES63	55.1	56.6	28.7	91.9	2.4	14.4
MT 0249	52.2	56.6	24.5	82.1	2.0	14.5
Chris	45.3	57.7	27.5	106.3	5.9	15.3
Marquis	44.9	57.7	27.9	108.5	3.8	14.2
Mean	63.4	59.2	26.0	90.9	2.3	14.6
LSD 0.05	9.0	1.5	1.4	5.3	1.6	0.6
CV %	9.2	1.7	2.8	4.3	44.3	2.7
No. Sites	14	14	13	14	6	9

[1]Locations are Crookston, Morris and St. Paul, MN; Carrington, Hettinger, Williston, Langdon, Minot, and Prosper, ND; Brookings, Groton and Selby, SD; Sidney, MT; and Glenlea, MB. [2]Lodging scored 0 (least) to 9 (highest).

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Table 2. 2004 Hard Red Spring Wheat Uniform Regional Nursery Seedling Leaf Rust Reactions, St. Paul, MN. (From Dr. Jim Kolmer, USDA-ARS)[1].

Line	THBJ	MJBJ	MCDS	TLGF	Race 9-SBD	KFBJ	TDBJ	MBRJ	MCDS (repeat)
Marquis*	3+	33+	4	;1-/3+	33+	3+	3+	3+	2+3
Chris	-	33+	33+	;1	33+	3+	3+	4	3+
2375	;2	23	23	23	;	0;/3+	2-	3-	2+3+
Verde	;1-	33+	;1-	;	;	;	-	-	;
Keene	;1-	0;1-	0;	;1-	;	;1-	1+	;	0;
SD3618	-	0;	0;	;1-	;	;	;	-	0;
SD3635	;2-	0;	0;	;1-	;	;	;	;2	-
SD3668	;2	;1-2-	0;	;	;	0;	1	0;2-	0;
SD3687	;1-	0;	0;	;1-	0;	;	;	;1-	0;
SD3746	0;	0;	0;	;1	0;	;	0;	0;	0;
SD3747	;	0;	0;	;	0;	0;	0;	0;	-
BZ998-447W	-	1+	;	;1-	0;	33-	3+	33+	0;
CA-902-701	0;	0;	0;	0;	0;	0;	0;	0;	0;
CA-901-580W	0;	0;	0;	0;	0;	0;	0;	0;	0;
N990241	2	22-	0;	0;	0;	;	;	;2	;
96S0404-03	;1-	0;	0;	-	0;	;	;	0;	0;
98S0051-1	22+	;2-	;2-	0;	;	;1	;	;1	;1-
98S0127-06	3-	2-	;1-	0;	0;	;	;	;12-	;1-
97S0254-8-1	0;	23	0;	0;	0;	;	;	0;	-
NDSW0217	4	33+	0;	3;	0;	3+	3+	3+	;
NDSW0345	4	0;	0;	;	;3	3+	3+	;3+	0;
NDSW0347	4	0;	0;	;3	;	;1	12+	;3+	;
BW341	;1-	;1-	0;1-	;1-	;	;	0;	0;	;1-
BW346	4	33+	23;c	;2-	0;	;1-	;12	2+3	1+
ES63**	3+	3+	0;	33-	3+	0;1-	33+	4	;12-
MN99436-6	;1-	;	0;	;	0;	;1-	;1-	;22+	-
MN00261-4	2-	33-	0;	0;	;	;1-	-	1	-
MN01197	23	0;	0;	;	;	-	-	0;	;
MN01311-A	2	;2	0;	0;	0;	-	;	;12-	;
MN01333-A	;1-	;1-	0;	;	0;	;	;		0;
BW828	23-	;	0;	0;	0;	0;	;	0;	0;
WA007925	3	0;	0;	-	0;	3	33+	0;/1	-
WA007931	-	-	-	-	;1-	3	-	33+	-
MT0245	3+	0;	0;	0;	;2=	33+	3+	3+	0;
MT0249	3+	0;	0;	0;	33+	33+	3+	0;	0;
ND741	;2=	0;	0;	0;	;	;	0;	0;	-
ND747	;1-	0;	0;	0;	0;	;	0;	;1-	0;
ND751	;	-	0;	0;	0;	-	0;	0;	0;
ND800	;	0;	0;	0;1-	0;	;	0;	0;	0;
ND801	;	0;	0;	0;	0;	;	-	0;	0;

* Marquis through BW346 evaluated in tray 1.

** ES63 through ND801-A evaluated in tray 2.

[1]Taken from Table 26 of the 2004 HRSW Uniform Regional Nursery.

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Table 3. 2004 Hard Red Spring Wheat Uniform Regional Nursery, Glenlea, MB, Canada.[1]

Line	Yield	Test Wt.	Maturity	Height	Lodging	1000 K Wt.	Leaf Rust	
	Bu/Ac	Lb/Bu	days	cm	1-9	g	Severity	Pustle
SD3687	98.1	58.7	120	82	2	36.5	15	mrms
SD3635	92.2	61.8	126	86	3	34.2	35	mss
ND 800	89.9	62.5	128	78	2	33.5	0	r
ND 801	88.5	63.2	129	81	3	33.3	0	r
MN01311-A	87.3	61.5	122	77	5	37.8	0	r
MN99436-6	87.0	59.7	127	74	3	30.7	missing	
ND 751	86.9	62.9	128	83	3	33.6	5	mr
BW341	86.6	61.4	131	82	1	32.3	0	r
NDSW0347	86.3	61.1	127	77	1	31.4	0	r
SD3746	84.9	59.3	128	82	2	34.4	5	mr
SD3618	84.9	61.6	124	79	3	36.4	5	mr
MN00261-4	83.7	62.9	126	73	2	34.9	10	mrms
ES63	83.1	59.7	127	81	2	39.6	30	mrms
ND 741	82.4	61.5	126	80	2	32.4	5	mr
MN01197	82.1	58.1	130	78	2	32.1	5	mr
WA007931	81.8	61.3	131	85	1	34.8	0	r
Keene	81.3	61.9	125	88	1	31.2	5	mr
MT 0245	81.1	58.9	132	80	2	30.5	35	mrms
MN01333-A	79.7	61.0	119	67	1	34.4	0	r
BZ 998-447W	79.6	57.7	122	75	3	41.9	25	mrms
NDSW0217	79.2	60.1	119	84	3	33.2	45	mss
Verde	78.9	58.5	132	74	3	31.3	0	r
SD3747	78.8	58.3	127	74	1	32.5	0	r
MT 0249	78.6	59.8	124	73	3	30.0	55	mss
SD3668	77.8	59.8	123	81	4	33.5	20	mrms
98S0051-1	77.7	60.8	133	75	1	34.3	10	mr
WA007925	77.5	59.4	123	76	2	31.5	35	mrms
2375	75.8	59.9	124	74	3	37.0	0	r
ND 747	75.7	64.0	126	80	1	32.4	5	mr
96S0404-03	74.6	58.0	131	63	2	27.9	20	mrms
97S0254-8-1	74.3	57.3	132	71	2	31.5	0	r
N99-0241	73.9	60.5	132	78	1	33.0	10	mr
BW828	73.3	59.0	120	81	3	33.9	15	mrms
CA-902-701	71.2	61.1	122	73	1	32.9	0	r
BW346	70.2	58.7	119	82	3	33.7	35	mss
98S0127-06	70.1	58.0	133	73	1	26.0	5	mr
NDSW0345	68.3	60.8	130	86	2	36.5	5	mr
CA-901-580W	65.2	59.1	121	80	4	36.6	25	mrms
Chris	61.0	59.7	125	89	4	28.6	20	mrms
Marquis	56.1	58.8	123	98	4	31.4	35	mss
Mean	79.1	60.2	126.2	78.8	2.4	33.3		
LSD			3.7	4.7	1.1	1.7		
CV			1.8	3.7	29.1	3.1		

[1]Taken from Table 19 of the 2004 HRSW Uniform Regional Nursery Report.

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Table 4. 2004 Hard Red Spring Wheat Uniform Regional Nursery, Pullman, WA. [1]

Line	Yield Bu/Ac	Test Wt. Lb/Bu	Heading d from 6-1	Height cm	Protein %	Stripe Rust % plants 0-90	Stripe Rust Severity 0-8
BZ 998-447W	108.4	60.2	16	107	12.9	0	0
WA007925	91.3	63.5	17	112	12.1	2	2
WA007931	87.7	62.9	18	99	11.1	0	0
SD3635	86.9	61.1	16	107	12.0	20	6
MT 0249	86.6	62.4	16	94	13.4	0	0
ND 747	83.3	64.2	16	112	14.0	10	3
SD3687	83.1	59.3	15	104	12.3	20	3-5
Keene	81.2	62.7	19	124	12.5	10	2-3
CA-901-580W	81.1	62.2	15	112	12.2	20	3-5
ND 741	80.7	60.7	18	102	13.8	5	2,8
ND 801	79.2	62.9	18	107	12.8	5	2-3
MN01197	79.1	59.5	20	89	12.7	20	3
SD3668	76.3	61.6	15	109	12.5	20	3
MN99436-6	76.1	59.9	12	76	12.8	60	8
SD3746	75.8	59.2	17	91	11.9	20	6
MN01311-A	75.5	61.5	16	97	12.4	40	8
ND 751	74.4	62.8	18	104	12.9	5	5
ND 800	73.6	60.9	17	94	13.0	5	5
98S0127-06	73.0	60.7	17	81	12.9	20	6
SD3747	72.1	59.2	15	89	12.1	50	6-8
NDSW0347	71.5	62.1	18	86	12.1	5	2-3
98S0051-1	70.1	61.4	16	86	13.2	5	2
NDSW0345	69.5	62.5	20	109	12.8	2	2
NDSW0217	69.4	60.7	18	114	10.5	20	6-8
97S0254-8-1	68.9	61.5	19	86	13.1	20	3-5
SD3618	68.6	61.5	18	107	12.3	20	6
Marquis	68.4	61.1	20	124	13.4	2	2
MT 0245	68.4	60.1	18	94	12.6	20	3-5
2375	66.0	61.5	13	97	12.0	40	6-8
96S0404-03	64.6	61.7	14	76	11.9	40	5-6
Verde	64.2	60.5	18	86	12.1	20	3-5
Chris	62.4	60.7	20	124	13.1	2	2-3
MN01333-A	61.9	60.9	15	91	11.9	40	8
CA-902-701	61.1	62.8	15	102	12.6	40	6
N99-0241	55.4	59.9	19	86	12.0	50	6-8
MN00261-4	53.1	60.2	20	86	13.1	30	6-8
Mean	74.1	61.3	17.0	99.1	12.5		

[1]Taken from Table 18 of the 2004 HRSW Uniform Regional Nursery Report.

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Table 5. 2004 Hard Red Spring Wheat Uniform Regional Nursery, Carrington, ND.[1]

Line	Yield	Test Wt.	Heading days	Height	Lodging	Protein	Disease**	Rust
	Bu/Ac	Lb/Bu	from 6-1	cm	0 to 9	%	% flag leaf	Type/Level
SD3687	75.7	59.1	33	104	2.0	13.9	33.3	Stripe
MN01311-A	70.0	61.0	33	94	2.3	14.5	19.0	Stripe
ND 751	67.5	61.8	34	102	2.3	15.1	23.3	None/Limited
97S0254-8-1	65.4	60.1	36	95	0.3	14.9	15.0	None/Limited
MN99436-6	64.5	59.6	32	88	0.7	15.0	8.3	None/Limited
ND 801	63.5	61.7	33	100	1.0	15.5	26.7	Stripe
ND 741	61.9	60.2	33	94	1.0	15.3	18.3	None/Limited
SD3618	61.8	59.0	33	105	3.3	14.8	26.7	None/Limited
N99-0241	61.0	58.3	36	88	0.7	13.9	48.3	Stripe/Leaf
96S0404-03	60.3	58.9	34	87	1.0	13.9	53.3	Stripe/Leaf
SD3746	60.1	56.3	34	93	0.7	13.6	35.0	None/Limited
SD3635	59.6	58.7	33	104	4.0	13.2	50.0	Stripe
MN01333-A	57.7	59.5	33	88	0.0	14.9	25.0	Stripe
Verde	57.7	57.7	35	90	1.0	14.1	16.7	None/Limited
SD3668	57.5	59.3	32	104	6.3	14.7	40.0	None/Limited
98S0051-1	57.4	59.1	35	88	1.0	14.2	70.0	None/Limited
MN01197	56.1	57.4	36	91	1.7	13.4	23.3	None/Limited
ND 747	55.9	63.2	32	105	1.3	15.3	43.3	None/Limited
SD3747	54.7	54.5	33	91	1.7	13.9	51.7	Leaf
CA-901-580W	54.3	60.9	32	100	4.0	13.4	45.0	Stripe/Leaf
MN00261-4	53.8	60.2	36	92	1.0	14.4	40.0	Stripe/Leaf
ND 800	52.8	60.4	33	95	1.0	14.9	31.7	None/Limited
BW341	50.9	60.0	33	109	2.0	15.3	16.7	Stripe
CA-902-701	49.5	60.1	32	101	0.0	15.0	40.0	Stripe
2375	47.9	59.1	32	96	4.3	14.3	81.7	None/Limited
BZ 998-447W	47.7	52.5	33	94	2.3	14.2	50.0	None/Limited
NDSW0347	46.2	57.6	34	97	1.3	14.6	55.0	Leaf
98S0127-06	45.9	57.1	35	83	0.7	13.6	51.7	Leaf
NDSW0217	44.7	57.9	34	110	6.0	12.6	40.0	Stripe
Keene	43.8	58.4	34	114	2.0	14.9	5.0	Stripe
Reeder	40.0	56.5	34	99	1.7	14.5	60.0	Leaf
BW346	38.8	56.5	33	105	5.7	15.1	80.0	Leaf
MT 0245	37.4	55.8	35	93	2.0	14.8	75.0	Leaf
Marquis	36.0	58.4	39	117	5.7	14.6	45.0	Leaf
NDSW0345	35.7	59.0	38	111	6.7	13.6	33.3	None/Limited
WA007925	35.2	56.1	33	104	5.0	14.1	78.3	Leaf
ES63	33.0	53.9	36	98	4.0	13.8	65.0	Leaf
WA007931	31.4	54.5	36	98	5.0	14.0	76.7	Leaf
Chris	25.3	54.2	35	113	7.3	15.6	66.7	Leaf
MT 0249	21.3	53.0	34	88	7.0	15.0	90.0	Leaf
Mean	51.0	58.2	34.0	98.2	2.7	14.4	43.9	
LSD	9.1	1.2	1.2	3.2	1.6	0.6	17.6	
CV	11.0	1.2	1.1	5.0	36.7	2.4	24.7	

** Leaf disease rating scored during late milk to early dough stage.

[1] Taken from Table 9 of the 2004 HRSW Uniform Regional Nursery Report.

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Table 6. 2004 Hard Red Spring Wheat Uniform Regional Nursery Scab Report, 3 locations[1].

	Crookston, MN		St. Paul, MN		Prosper, ND
Line	VSK %	Disease Index	VSK %	Disease Index	Disease Index
Marquis	18	9	8	38	40.6
Chris	16	26	8	67	37.8
2375	23	46	6	73	38.1
Verde	23	54	12	69	64.3
Keene	18	39	8	63	60.3
SD3618	25	24	6	18	12.3
SD3635	18	32	6	68	25.1
SD3668	30	29	8	31	23.4
SD3687	23	14	4	51	14.7
SD3746	45	48	15	89	21.7
SD3747	40	52	10	44	31.2
BZ 998-447W	30	64	15	79	60.1
CA-902-701	20	35	6	64	12.9
CA-901-580W	19	30	8	31	16.2
N99-0241	30	47	20	71	50.3
96S0404-03	28	67	25	89	52.2
98S0051-1	30	34	8	38	50.0
98S0127-06	18	46	15	82	22.7
97S0254-8-1	10	47	10	65	57.2
NDSW0217	13	47	4	80	70.3
NDSW0345	13	45	8	68	49.7
NDSW0347	15	29	2	50	21.6
BW341	14	33	6	56	17.3
BW346	10	8	4	68	5.5
ES63	25	25	15	86	78.1
MN99436-6	23	34	2	80	27.0
MN00261-4	10	32	2	61	60.4
MN01197	23	38	8	68	39.3
MN01311-A	20	25	2	61	44.4
MN01333-A	23	48	10	51	24.5
BW828	9	12	10	75	-
WA007925	33	46	8	60	54.6
WA007931	21	50	6	87	71.1
MT 0245	25	51	15	68	65.0
MT 0249	28	79	15	56	71.9
ND 741	18	34	2	67	21.6
ND 747	7	12	2	45	23.9
ND 751	12	11	2	28	29.0
ND 800	18	40	4	69	27.4
ND 801	12	20	2	44	9.9
Alsen (MR ck)	7	12	2	23	-
BacUp (MR ck)	11	27	2	24	-
Wheaton (sus ck)	45	81	35	79	-
Mean	21.6	38.6	8.8	59.7	38.6
LSD	11.3	19.2			
CV	26.4	25.2			

[1]Taken from Tables 23, 24, 25 of the 2004 Hard Red Spring Wheat Uniform Regional Nursery.

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Table 7. Summary of kernel characteristics of HRSW lines tested in the Wheat Quality Council Trials in 2004. Rush, CA-902-701, is entry C16, and K16.

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Summary of Kernel Characteristics

Random ID	Entry	ID	TW	Kernel Size		Kernel Weight	Wheat Falling Number	Kernel Hardness	Vitreous Kernels
			lbs/bu	% Large	% Small	g/1000	Seconds	NIR	%
WQC 01	CA-902-701	K16	59.0	68	5	32.2	303	93.9	48.2
WQC 02	CA-902-701	C16	58.3	48	7	27.1	344	68.0	20.5
WQC 03	ND800	B15	61.0	70	4	30.8	438	90.3	80.9
WQC 04	ND800	C15	57.5	56	7	27.7	402	93.8	24.5
WQC 05	ND800	K15	59.9	75	3	31.9	360	105.8	38.7
WQC 06	ND800	M15	62.0	67	4	31.5	405	96.0	90.0
WQC 07	98S0113-20	M12	61.4	58	5	30.1	402	79.7	87.3
WQC 08	98S0113-20	K12	58.0	63	5	30.0	342	88.5	43.9
WQC 09	98S0113-20	C12	58.1	53	8	26.6	388	75.9	11.7
WQC 010	98S0113-20	B12	61.4	71	3	31.4	413	89.7	44.9
WQC 011	COI320W	C11	52.2	19	25	19.0	316	70.9	7.5
WQC 012	COI320W	K11	56.6	66	4	29.8	209	60.8	27.6
WQC 013	COI320W	M11	60.9	51	7	29.8	363	96.8	93.4
WQC 014	ND805	M10	62.4	77	3	35.2	386	89.1	98.5
WQC 015	ND805	C10	57.4	64	6	30.1	385	99.9	4.7
WQC 016	MN00261-4	C9	59.0	57	6	28.8	420	88.8	5.1
WQC 017	MN00261-4	K9	61.1	85	1	36.0	399	84.9	50.3
WQC 018	CHBR1985B	M6	61.0	68	5	34.5	396	74.4	89.3
WQC 019	CHBR1985B	K6	55.7	73	4	34.6	354	72.4	30.6
WQC 020	CHBR1985B	C6	52.1	31	16	23.9	414	58.8	7.3
WQC 021	SD3687	B4	57.0	53	7	29.4	393	82.7	50.8
WQC 022	SD3687	C4	54.2	49	8	28.0	388	89.9	3.5
WQC 023	SD3687	M4	58.0	63	6	30.9	355	86.5	94.2
WQC 024	ND803	M3	60.9	65	6	31.9	426	99.6	88.1
WQC 025	ND803	C3	57.8	62	6	28.4	387	88.5	6.1
WQC 026	MN95229-A	C2	58.6	39	10	26.9	446	73.9	10.0
WQC 027	MN95229-A	K2	61.2	83	1	35.2	422	101.5	41.7
WQC 028	MN95229-A	M2	61.0	66	5	35.6	462	112.2	93.1
ACK	Parshall	K5	59.5	73	4	32.9	397	92.0	44.3
BCK	Parshall	M5	61.8	45	9	25.9	366	91.1	96.5
CCK	Parshall	B5	61.3	63	5	29.1	409	99.1	86.6
DCK	Parshall	C5	58.0	38	13	24.4	426	85.6	73.2
ECK	Glenn	M8	64.2	82	4	31.3	381	106.9	97.1
FCK	Glenn	B8	63.1	63	5	29.2	417	81.8	86.6
GCK	Glenn	C8	60.5	54	6	28.4	367	89.8	79.6
HCK	Glenn	K8	60.9	75	3	32.1	391	101.6	34.7

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Table 7. Summary of kernel chararcteristics ....(continued).

Summary of Kernel Characteristics (cont)

Random ID	Entry	ID	DON ppm	Ground Wheat Moisture %	LECO Wheat Protein 12%mb	Wheat Ash 14%mb	PPO abs475
WQC 01	CA-902-701	K16	1.9	12.3	14.6	1.70	0.688
WQC 02	CA-902-701	C16	1.6	10.5	15.1	1.73	0.601
WQC 03	ND800	B15	0.6	10.0	15.2	1.67	0.643
WQC 04	ND800	C15	1.7	11.2	14.6	1.66	0.979
WQC 05	ND800	K15	1.9	12.4	14.3	1.76	0.728
WQC 06	ND800	M15	<0.5	11.9	14.6	1.44	0.837
WQC 07	98S0113-20	M12	<0.5	10.7	15.0	1.50	0.782
WQC 08	98S0113-20	K12	1.3	12.1	14.7	1.67	0.834
WQC 09	98S0113-20	C12	1.0	10.8	15.0	1.68	0.618
WQC 010	98S0113-20	B12	<.5	10.5	15.4	1.63	0.821
WQC 011	COI320W	C11	4.6	10.4	13.7	1.80	0.778
WQC 012	COI320W	K11	1.4	13.4	13.3	1.67	0.613
WQC 013	COI320W	M11	0.5	11.3	13.7	1.43	0.714
WQC 014	ND805	M10	<0.5	10.9	13.4	1.46	0.865
WQC 015	ND805	C10	0.8	11.3	14.4	1.58	1.016
WQC 016	MN00261-4	C9	0.6	11.2	14.6	1.58	0.381
WQC 017	MN00261-4	K9	0.6	11.8	13.5	1.67	0.368
WQC 018	CHBR1985B	M6	0.5	10.9	15.0	1.56	0.546
WQC 019	CHBR1985B	K6	5.5	11.8	13.3	1.79	0.442
WQC 020	CHBR1985B	C6	4.2	10.7	15.2	1.89	0.474
WQC 021	SD3687	B4	0.6	10.2	15.4	1.68	0.717
WQC 022	SD3687	C4	0.8	11.1	14.1	1.71	0.558
WQC 023	SD3687	M4	<0.5	10.8	13.3	1.50	0.666
WQC 024	ND803	M3	<0.5	11.3	14.7	1.53	0.582
WQC 025	ND803	C3	1.0	11.9	15.0	1.85	0.890
WQC 026	MN95229-A	C2	1.6	11.3	15.0	1.83	0.796
WQC 027	MN95229-A	K2	0.8	12.5	14.8	1.63	0.836
WQC 028	MN95229-A	M2	<0.5	11.6	15.7	1.56	0.672
ACK	Parshall	K5	2.1	12.5	13.8	1.71	0.581
BCK	Parshall	M5	<0.5	11.1	13.7	1.44	0.639
CCK	Parshall	B5	0.7	10.3	15.8	1.79	0.697
DCK	Parshall	C5	1.8	11.4	14.6	1.67	0.872
ECK	Glenn	M8	<0.5	11.2	14.5	1.43	0.735
FCK	Glenn	B8	0.6	10.0	15.4	1.75	0.751
GCK	Glenn	C8	2.0	11.5	15.7	1.76	0.655
HCK	Glenn	K8	2.6	12.2	13.0	1.67	0.632

Table 8. Summary of flour characteristics of HRSW lines tested in the Wheat Quality Council Trials in 2004. Rush, CA-902-701, is entry C16, and K16.

Summary of Flour Characteristics

Random ID	Entry	ID	Straight Grade Flour Yield TPB* %	Straight Grade Flour Yield TWB* %	Straight Grade Flour per bushel wheat lbs	Flour Moisture %	Flour Ash 14%mb	Flour Protein 14%mb	Starch Damage %
WQC 01	CA-902-701	K16	78.4	76.5	46.5	13.8	0.675	13.9	5.96
WQC 02	CA-902-701	C16	76.7	73.4	44.1	14.0	0.619	14.2	6.56
WQC 03	ND800	B15	76.7	73.9	47.1	13.8	0.595	14.6	8.88
WQC 04	ND800	C15	77.6	74.3	44.0	13.4	0.625	13.7	7.27
WQC 05	ND800	K15	78.1	74.8	46.3	13.8	0.618	13.3	6.87
WQC 06	ND800	M15	79.6	75.5	48.5	12.9	0.545	13.9	8.23
WQC 07	98S0113-20	M12	78.9	74.0	47.3	13.1	0.627	14.9	4.48
WQC 08	98S0113-20	K12	77.4	74.6	44.5	14.2	0.653	13.9	4.52
WQC 09	98S0113-20	C12	77.5	73.9	44.6	13.4	0.680	14.2	4.14
WQC 010	98S0113-20	B12	76.1	73.1	46.8	13.9	0.643	14.8	5.37
WQC 011	COI320W	C11	77.0	74.1	40.0	14.0	0.650	12.9	5.32
WQC 012	COI320W	K11	78.8	74.8	44.0	13.1	0.644	12.2	6.55
WQC 013	COI320W	M11	78.3	75.0	47.2	13.4	0.601	13.2	7.11
WQC 014	ND805	M10	80.7	77.1	49.8	13.3	0.572	13.0	7.97
WQC 015	ND805	C10	80.0	76.3	45.6	13.6	0.595	13.8	7.82
WQC 016	MN00261-4	C9	78.8	75.4	46.1	13.9	0.637	13.9	7.11
WQC 017	MN00261-4	K9	78.9	75.6	47.6	13.6	0.625	12.8	7.14
WQC 018	CHBR1985B	M6	78.1	73.5	46.4	12.6	0.641	14.9	4.79
WQC 019	CHBR1985B	K6	77.6	73.3	42.3	13.1	0.699	12.3	5.15
WQC 020	CHBR1985B	C6	75.5	71.4	38.4	13.0	0.773	14.7	3.94
WQC 021	SD3687	B4	77.1	73.4	43.9	14.1	0.594	15.2	8.11
WQC 022	SD3687	C4	77.5	73.7	41.2	13.8	0.731	13.2	6.72
WQC 023	SD3687	M4	79.3	75.3	45.4	13.3	0.631	12.7	7.96
WQC 024	ND803	M3	79.3	75.3	47.5	12.9	0.608	14.1	7.99
WQC 025	ND803	C3	77.4	73.9	44.4	13.6	0.656	14.1	6.67
WQC 026	MN95229-A	C2	76.0	73.2	44.2	13.9	0.681	14.1	6.58
WQC 027	MN95229-A	K2	77.7	74.2	46.8	13.8	0.616	13.7	6.31
WQC 028	MN95229-A	M2	78.2	74.3	47.0	13.3	0.576	15.4	6.96
ACK	Parshall	K5	78.0	74.8	46.0	13.9	0.606	12.9	6.37
BCK	Parshall	M5	79.9	76.1	48.7	13.1	0.572	13.2	8.15
CCK	Parshall	B5	75.8	72.8	46.6	13.4	0.711	13.8	6.67
DCK	Parshall	C5	77.5	74.3	44.5	13.9	0.610	13.8	7.32
ECK	Glenn	M8	79.4	75.6	50.2	13.2	0.541	14.4	7.13
FCK	Glenn	B8	76.0	72.6	47.8	13.5	0.647	14.9	7.08
GCK	Glenn	C8	77.2	73.5	46.1	13.5	0.629	14.8	7.57
HCK	Glenn	K8	77.9	73.8	46.3	13.6	0.593	12.2	7.30

* TBP = Total Product Basis

* TWB = Tempered Wheat Basis

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CA-902-701

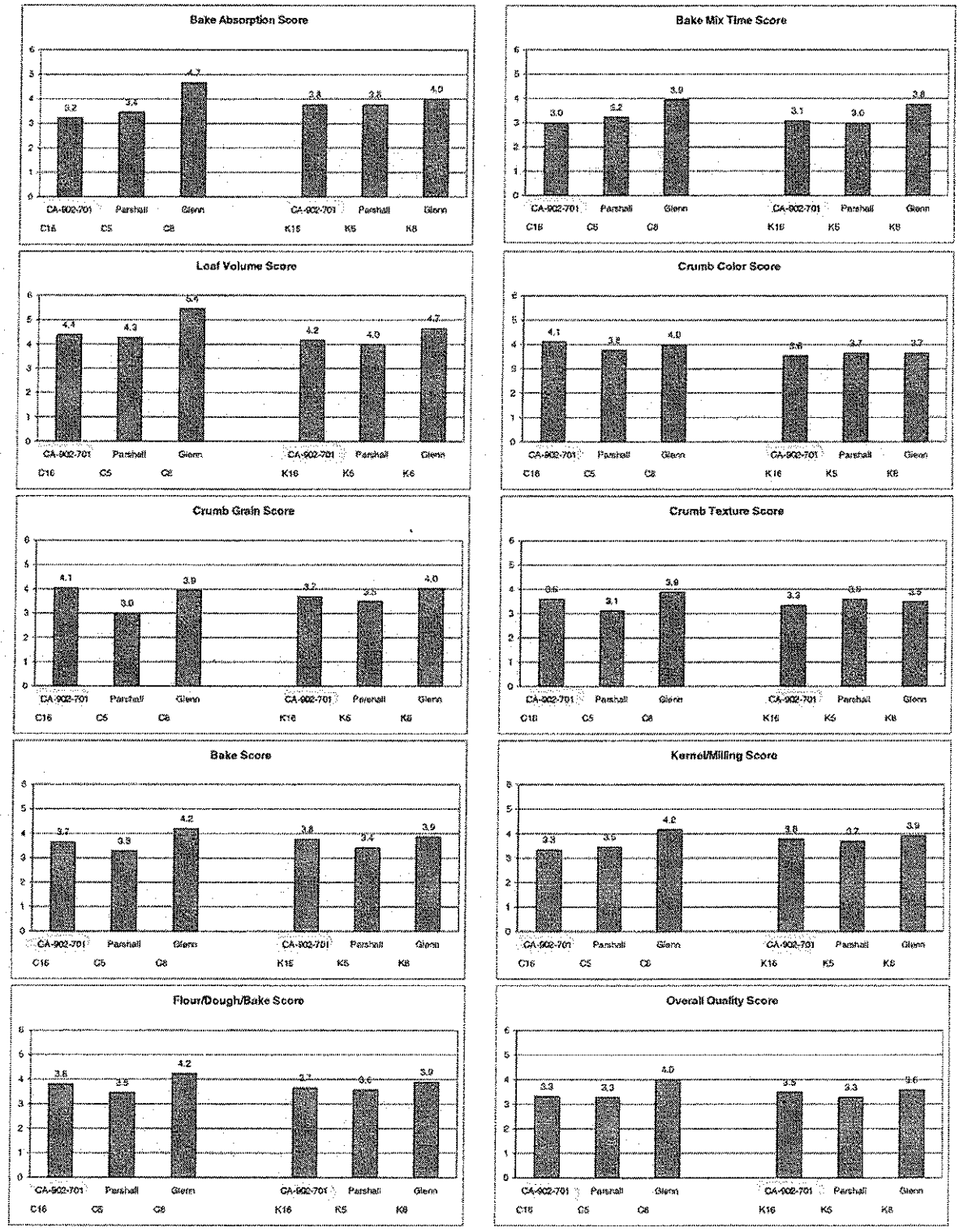

Figure 1. Summary of baking and milling scores of Rush, CA-902-701, and high quality checks tested in the Wheat Quality Council Trials in 2004. Higher scores indicate higher quality.

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Table 9. Comparison of Rush and Granite for agronomic, quality and disease characteristics in ND, SD and MN in 2004 and 2005.

Variety	n	Yield -bu/a-	Test Weight -lbs/bu-	Heading -days from 6-1-	Height -cm-	Protein -%-	Sed -mm-	VSK[1] -%-
2005 Gary, MN								
Rush	4	71.54	59.1	25.3	78.7	14.9	99	3.7
Granite	4	74.46	59.7	30.0	78.7	16.0	96	16.0
2005 Valley City, ND								
Rush	4	41.30	60.6	26.5	74.3	15.1	93	1.7
Granite	4	35.37	59.3	32.0	74.3	15.4	90	3.3
2005 Bristol, SD								
Rush	4	64.03	60.3	17.5	-	15.0	108	2.7
Granite	4	46.88	55.9	23.3	-	15.7	97	25.0
2005 Casselton, ND Demo								
Rush	1	66.6	58.9	-	-	15.2	96	0.5
Granite	1	64.6	59.6	-	-	16.6	95	6.2
2005 Casselton, ND Yield								
Rush	3	58.2	61.0	26.7	88.1	14.8	107	2.3
Granite	3	59.7	61.4	32.0	82.1	15.2	105	3.0
2005 Belfield, ND								
Rush	4	64.96	63.4	23.8	83.3	14.4	99	-
Granite	4	62.31	64.1	29.8	83.2	14.7	94	-
2005 Steele, ND Fungicide								
Rush	4	51.2	59.9	26.0	81.3	15.7	94	1.0
Granite	4	50.1	60.8	31.5	81.3	16.7	95	4.7
2005 Steele, ND								
Rush	4	45.2	60.1	25.5	81.3	15.5	97	2.3
Granite	4	39.7	59.6	32.0	81.3	17.0	96	6.3
2005 Felton, MN Fungicide								
Rush	4	58.6	60.4	26.5	80.0	14.9	109	2.0
Granite	4	73.1	61.2	31.0	78.7	16.3	104	2.0
2005 Felton, MN								
Rush	4	63.1	60.0	26.0	81.3	14.4	111	2.7
Granite	4	74.2	61.8	31.5	80.0	16.1	103	3.0
2005 DGP - 6 locations								
Rush	23	55.4	61.8	30.2	79.1	15.1	94.5	2.4
Granite	23	55.1	62.0	35.2	79.3	14.7	82.0	5.7

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Table 9. Comparison of Rush and Granite ....(continued).

Variety	n	Yield -bu/a-	Test Weight -lbs/bu-	Heading -days from 6-1-	Height -cm-	Protein -%-	Sed -mm-	VSK[1] -%-
2005 Ross Seed - 5 locations								
Rush	14	50.2	60.5	26.2	-	16.1	105.4	2.2
Granite	14	53.2	62.1	31.0	-	16.0	98.0	2.7
2004 DGP - 6 locations								
Rush	20	73.1	62.7	39.2	83.7	15.0	113.2	-
Granite	20	77.8	63.2	44.5	83.3	15.3	100.0	-
2004 Ross Seed - 3 locations								
Rush	9	49.3	62.5	39.2	84.7	14.0	109.3	1.5
Granite	9	59.9	63.7	45.3	81.6	13.7	94.7	1.7
2004 Steele, ND, with Fungicide								
Rush	4	30.4	60.6	31.0	86.4	13.6	-	0.0
Granite	4	33.9	60.4	37.8	78.7	13.6	-	5.4
2004 Steele, ND								
Rush	4	39.2	61.0	32.0	88.9	15.2	-	0.0
Granite	4	43.5	61.6	37.5	88.9	14.9	-	3.2
2004 West Fargo, ND with Fungicide								
Rush	4	63.0	63.4	27.5	90.2	15.8	110	1.9
Granite	4	76.2	64.3	33.0	89.5	15.8	97	2.6
2004 West Fargo, ND								
Rush	4	66.1	62.3	27.0	89.5	15.3	105	0.0
Granite	4	76.5	64.1	32.0	90.2	15.0	90	2.3
2004 Casselton, ND								
Rush	3	78.1	63.3	23.7	96.5	14.9	110.0	0.7
Granite	3	75.7	64.4	29.7	94.0	14.2	88.0	1.3
Overall Average								
Rush	121	57.3	61.1	27.8	84.2	15.0	103.6	1.6
Granite	121	59.6	61.5	33.3	82.8	15.4	95.6	5.5
ANOV F statistic significant at P<0.0001				***			***	***

[1] VSK = visually scabby kernels.

Exhibit B. Statement of Distinctness

Rush is most similar to the hard red spring wheat variety Granite. However, Rush can be distinguished from Granite by three distinct morphological characteristics, glume beak shape, glume color and juvenile plant growth habit.

1. Rush has tan glumes at maturity while Granite has white glumes.
2. Rush has long acuminate beaks and Granite has short obtuse beaks (see Figure 2).
3. Rush has an erect juvenile plant growth habit and Granite has a semi-erect juvenile plant growth habit.

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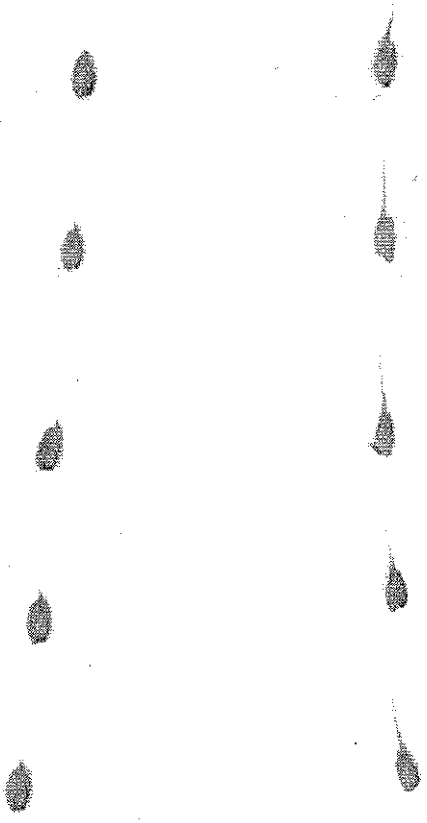

Granite Rush

Figure 2. Glumes of Granite with short obtuse beaks on left and glumes of Rush with long acuminate beaks on right.

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PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY
Wheat (*Triticum* spp.)

NAME OF APPLICANT (S)	TEMPORARY OR EXPERIMENTAL DESIGNATION	VARIETY NAME
WestBred, LLC	CA-902-701	Rush

ADDRESS *(Street and No. or RD No., City, State, Zip Code and Country)*

81 Timberline Drive
Bozeman, MT 59718-8184

FOR OFFICIAL USE ONLY

PVPO NUMBER

200600282

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g., [0][9][9] or [0][9]) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _____. Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

[1]
1 = Common
2 = Durum
3 = Club
4 = Other (Specify) _____

2. VERNALIZATION:

[1]
1 = Spring
2 = Winter
3 = Other (Specify) _____

3. COLEOPTILE ANTHOCYANIN:

[1] 1 = Absent 2 = Present

4. JUVENILE PLANT GROWTH:

[3] 1 = Prostrate 2 = Semi-Erect 3 = Erect

5. PLANT COLOR: (boot stage)

[2]
1 = Yellow-Green
2 = Green
3 = Blue-Green

6. FLAG LEAF: (boot stage)

[1] 1 = Erect 2 = Recurved
[2] 1 = Not Twisted 2 = Twisted
[2] 1 = Wax Absent 2 = Wax Present

7. EAR EMERGENCE:

[0][4][4] Number of Days (Average)

[0][5] Number of Days Earlier Than * Granite

Same As *

[ ][ ] Number of Days Later Than *

**Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial*

8. ANTHER COLOR:

[1] 1 = Yellow 2 = Purple

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9. PLANT HEIGHT: (from soil to top of head, excluding awns)

[0][8][5] cm (Average)

[0][1] cm Taller Than Granite *

Same As _____ *

[ ][ ] cm Shorter Than _____ *

10. STEM:

A. ANTHOCYANIN

[1] 1 = Absent 2 = Present

B. WAXY BLOOM

[2] 1 = Absent 2 = Present

C. HAIRINESS (last internode of rachis)

[2] 1 = Absent 2 = Present

D. INTERNODE

[1] 1 = Hollow 2 = Semi-Solid 3 = Solid

[3] Number of Nodes

E. PEDUNCLE

[1] 1 = Erect 2 = Recurved 3 = Semi-Erect

[3][5] cm Length

F. AURICLE

[1] Anthocyanin: 1 = Absent 2 = Present

[2] Hair: 1 = Absent 2 = Present

11. HEAD: (At Maturity)

A. DENSITY

[2]
1 = Lax
2 = Middense (Laxidense)
3 = Dense

B. SHAPE

[4]
1 = Tapering
2 = Strap
3 = Clavate
4 = Other (Specify) Oblong

C. CURVATURE

[1]
1 = Erect
2 = Inclined
3 = Recurved

D. AWNEDNESS

[4]
1 = Awnless
2 = Apically Awnletted
3 = Awnletted
4 = Awned

12. GLUMES: (At Maturity)

A. COLOR

[2]
1 = White
2 = Tan
3 = Other (Specify) _____

B. SHOULDER

[4]
1 = Wanting 2 = Oblique
3 = Rounded 4 = Square
5 = Elevated 6 = Apiculate
7 = Other (Specify) _____

C. SHOULDER WIDTH

[1]
1 = Narrow
2 = Medium
3 = Wide

D. BEAK

[3]
1 = Obtuse
2 = Acute
3 = Acuminate

E. BEAK WIDTH

[2]
1 = Narrow
2 = Medium
3 = Wide

F. GLUME LENGTH

[2]
1 = Short (ca. 7 mm)
2 = Medium (ca. 8 mm)
3 = Long (ca. 9 mm)

G. WIDTH

[1]
1 = Narrow (ca. 3 mm)
2 = Medium (ca. 3.5 mm)
3 = Wide (ca. 4 mm)

H. PUBESCENCE

[1]
1 = Not Present
2 = Present

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13. SEED:

A. SHAPE

[1] 1 = Ovate
2 = Oval
3 = Elliptical

B. CHEEK

[2] 1 = Rounded
2 = Angular

C. BRUSH

[1] 1 = Short
2 = Medium
3 = Long

[1] 1 = Not Collared
2 = Collared

D. CREASE

[1] 1 = Width 60% or less of Kernel
2 = Width 80% or less of Kernel
3 = Width Nearly as Wide as Kernel

[1] 1 = Depth 20% or less of Kernel
2 = Depth 35% or less of Kernel
3 = Depth 50% or less of Kernel

E. COLOR

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[3] 1 = White
2 = Amber
3 = Red
4 = Other (Specify) _____

F. TEXTURE

[1] 1 = Hard
2 = Soft
3 = Other (Specify) _____

G. PHENOL REACTION (See Instructions)

[3] 1 = Ivory
2 = Fawn
3 = Light Brown
4 = Dark Brown
5 = Black

H. SEED WEIGHT

[3][4] g/1000 Seed (whole number only)

I. GERM SIZE

[2] 1 = Small
2 = Midsize
3 = Large

14. DISEASE: PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

[0]	Stem Rust (*Puccinia graminis* f. sp. *tritici*)	[2]	Leaf Rust (*Puccinia recondita* f. sp. *tritici*)
[1]	Stripe Rust (*Puccinia striiformis*)	[0]	Loose Smut (*Ustilago tritici*)
[0]	Tan Spot (*Pyrenophora tritici-repentis*)	[0]	Flag Smut (*Urocystis agropyri*)
[0]	Halo Spot (*Selenophoma donacis*)	[0]	Common Bunt (*Tilletia tritici* or T. *laevis*)
[0]	*Septoria nodorum* (Glume Blotch)	[0]	Dwarf Bunt (*Tilletia controversa*)
[0]	*Septoria avenae* (Speckled Leaf Disease)	[0]	Karnal Bunt (*Tilletia indica*)
[0]	*Septoria tritici* (Speckled Leaf Blotch)	[0]	Powdery Mildew (*Erysiphe graminis* f. sp. *tritici*)
[3]	Scab (*Fusarium* spp.)	[0]	"Snow Molds"
[0]	"Black Point" (Kernel Smudge)	[0]	Common Root Rot (*Fusarium*, *Cochliobolus* and *Bipolaris* spp.)
[0]	Barley Yellow Dwarf Virus (BYDV)	[0]	Rhizoctonia Root Rot (*Rhizoctonia solani*)
[0]	Soilborne Mosaic Virus (SBMV)	[0]	Black Chaff (*Xanthomonas campestris* pv. *translucens*).
[0]	Wheat Yellow (Spindle Streak) Mosaic Virus	[0]	Bacterial Leaf Blight (*Pseudomonas syringae* pv. *syringae*)
[0]	Wheat Streak Mosaic Virus (WSMV)	[ ]	Other (Specify) _____
[ ]	Other (Specify) _____	[ ]	Other (Specify) _____
[ ]	Other (Specify) _____	[ ]	Other (Specify) _____
[ ]	Other (Specify) _____	[ ]	Other (Specify) _____

15. INSECT: (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

[0]	Hessian Fly (*Mayetiola destructor*)	[ ]	Other (Specify) _____
[0]	Stem Sawfly (*Cephus* spp.)	[ ]	Other (Specify) _____
[0]	Cereal Leaf Beetle (*Oulema melanopa*)	[ ]	Other (Specify) _____

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15. INSECT: (continued) (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (Where Needed)

0	Russian Aphid (*Diuraphis noxia*)		Other (Specify) _____
0	Greenbug (*Schizaphis graminum*)		Other (Specify) _____
0	Aphids		Other (Specify) _____

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued *(7 U.S.C. 2421)*. The information is held confidential until the certificate is issued *(7 U.S.C. 2426)*.

1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
WestBred, LLC	CA-902-701	Rush
4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP, and Country)*	**5. TELEPHONE** *(Include area code)*	**6. FAX** *(Include area code)*
81 Timberline Dr. Bozeman, MT 59718-8184	(406) 587-1218	(406) 586-8247
	7. PVPO NUMBER 200600282	

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. **If no, please explain.** ☑ **YES** ☐ **NO**

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? **If no, give name of country.** ☑ **YES** ☐ **NO**

10. Is the applicant the original owner? ☑ **YES** ☐ **NO** **If no, please answer one of the following:**

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?
☐ **YES** ☐ **NO** **If no, give name of country**

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?
☐ **YES** ☐ **NO** **If no, give name of country**

11. Additional explanation on ownership *(Trace ownership from original breeder to current owner. Use the reverse for extra space if needed)*:

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT F
DECLARATION REGARDING DEPOSIT

NAME OF OWNER (S)	ADDRESS *(Street and No. or RD No., City, State, and Zip Code and Country)*	TEMPORARY OR EXPERIMENTAL DESIGNATION
WestBred, LLC	81 Timberline Dr. Bozeman, MT 59718	CA-902-701
		VARIETY NAME Rush
NAME OF OWNER REPRESENTATIVE (S)	ADDRESS *(Street and No. or RD No., City, State, and Zip Code and Country)*	FOR OFFICIAL USE ONLY
Dr. Greg Fox	81 Timberline Dr. Bozeman, MT 59718	PVPO NUMBER 200600282

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.

Signature

August 15, 2006
Date

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